

**INTERMEDIARY SERVICE ORGANIZATIONS
SURVEYOR WORKBOOK**

Facility: _____ **License #:** _____

Address: _____ **Phone #:** _____

Facility Administrator: _____

Inspector(s): _____ **Survey Date:** _____

TAG	REGULATION TEXT	Y	N	N/A	Comments
I 0500	<p>NAC 449.39515 Operation of intermediary service organization and agency to provide personal care services in the home. (NRS 449.4308, 449.4327)</p> <p>1. A person may operate an intermediary service organization and an agency to provide personal care services in the home if the person:</p> <p style="padding-left: 20px;">(a) Maintains separate records and clients for the intermediary service organization and the agency to provide personal care services in the home;</p> <p style="padding-left: 20px;">(b) Distinguishes between the services to be provided by the intermediary service organization and the personal care services provided by the agency to provide personal care services in the home.</p>				
I 0510	<p>NAC 449.39516 Duties and responsibilities. (NRS 449.4308, 449.4327)</p> <p>1. An intermediary service organization shall ensure that each client of the intermediary service organization and personal assistant employed by the intermediary service organization is aware of and understands:</p> <p style="padding-left: 20px;">(a) The rights and responsibilities of the client;</p> <p style="padding-left: 20px;">(b) The ethical responsibilities of the personal assistant, including, without limitation, any responsibilities concerning the confidentiality of client information;</p>				
I 0515	<p style="padding-left: 20px;">(d) The policies and procedures to be used by the personal assistant for the control of infections, including, without limitation, the policies and procedures of the intermediary service organization and the universal precautions as defined in NAC 441A.195;</p>				
I 0516	<p style="padding-left: 20px;">(e) The respective responsibilities of the personal assistant and the client to properly document the needs of the person with a disability and to properly document the provision of personal assistance to that person;</p>				
I 0517	<p style="padding-left: 20px;">(f) The procedures that the personal assistant will follow when responding to medical and nonmedical emergencies of the person with a disability;</p>				

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I 0518	(g) The provisions of NRS 629.091 and the appropriate procedures that must be followed when providing assistance to a person with a disability pursuant to that section; and				
I 0519	(h) The procedures for a client to appeal the termination, reduction or suspension of services by the intermediary service organization.				
I 0525	2. An intermediary service organization shall: (a) Remain open for operation during regular business hours; (b) Maintain a telephone line at the location of the intermediary service organization that is listed on its certificate, which must be published in a public telephone directory; (c) Have a federal taxpayer identification number; (d) Maintain all business licenses required by state and local law;				
I 0529	(e) Maintain a written policy concerning the manner in which complaints from clients will be documented and resolved and a log which lists all complaints filed by clients; and				
I 0530	(f) Maintain a written policy concerning the procedures for a client to appeal the termination, reduction or suspension of services by the intermediary service organization.				
I 0535	3. If an intermediary service organization withholds any money from a personal assistant which must be forwarded to another person, including, without limitation, insurance premiums, fees required to be paid by the intermediary service organization pursuant to state or federal law on behalf of the personal assistant or money withheld at the request of the personal assistant, the intermediary service organization must transfer such money to the person designated for receipt of the money by the date required for such transfer.				
I 0540	4. An intermediary service organization may: (a) Employ personal assistants to provide specific medical, nursing or home health care services for a person with a disability pursuant to NRS 629.091 ; and (b) At the request of a client, assist in the development of a plan of care for a person with a disability.				
I 0545	5. An intermediary service organization shall not serve as the managing employer of a personal assistant.				

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I 0550	<p>NAC 449.39517 Personal assistants: Qualifications; maintenance and availability of personnel files. (NRS 449.4308, 449.4327, 449.4329, 449.433)</p> <p>1. Each personal assistant employed by an intermediary service organization must:</p> <ul style="list-style-type: none"> (a) Be at least 18 years of age; (b) Demonstrate the ability to meet the needs of the person with a disability as outlined by the client; (c) Demonstrate the ability to communicate effectively with the client; 				
I 0553	<ul style="list-style-type: none"> (d) Obtain certification to perform first aid and cardiopulmonary resuscitation within 120 days after the date on which the personal assistant begins employment with the intermediary service organization; 				
I 0554	<ul style="list-style-type: none"> (e) Be in good health as certified by a physician and must not be infected with any communicable disease that may be contagious; and 				
I 0560	<p>3. An intermediary service organization shall, upon the request of the Division, make available to the Division all personnel files, including, without limitation, any personnel files that are maintained electronically.</p>				
I 0565	<p>NAC 449.39518 Personal assistants: Results of reports on criminal history. (NRS 449.4308, 449.4327, 449.4329) Upon receiving a report concerning any records of criminal history of a personal assistant from the Central Repository for Nevada Records of Criminal History pursuant to subsection 4 of NRS 449.4329, an intermediary service organization shall provide to the client who selected the personal assistant the results of the report on the criminal history of the personal assistant.</p>				
I 0570	<p>NAC 449.39519 Client to serve as managing employer and provide training to personal assistant; reporting of training to organization. (NRS 449.4308, 449.4327)</p> <p>1. The client of an intermediary service organization must serve as the managing employer of the personal assistant and must be responsible for the selection and termination of the personal assistant.</p>				
I 0575	<p>2. Each client shall ensure that:</p> <ul style="list-style-type: none"> (a) The personal assistant selected to provide services to the person with a disability under the direction of the client completes the training required pursuant to this section; and (b) The personal assistant is able to safely perform the services required to meet the needs of the person with a disability. 				

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I 0580	<p>3. Each client shall ensure that the personal assistant:</p> <p>(a) Receives instruction from the client or a person designated by the client at the location where the personal assistant will provide services to the person with a disability;</p>				
I 0581	<p>(b) Within 120 days after being employed by the intermediary service organization, receives not less than 16 hours of training which must include, without limitation:</p> <p>(1) The rights of a client, including, without limitation, confidentiality of client information and state and federal laws relating to confidentiality;</p> <p>(2) First aid and cardiopulmonary resuscitation;</p> <p>(3) Universal precautions, as defined in NAC 441A.195, and the control of infection, including, without limitation, information on blood borne pathogens and infection control procedures;</p> <p>(4) Body mechanics, transferring and mobility, including, without limitation, typical body movements, range of motion, prevention of back injury and potential fall hazards;</p> <p>(5) Household safety and accident prevention, including, without limitation, the preparation of a home for safety and accident prevention;</p> <p>(6) Basic communication skills, including, without limitation, techniques for sharing information with persons who require alternative modes of communication;</p> <p>(7) Information concerning advance directives as defined in NRS 449.905;</p> <p>(8) General awareness of issues relating to aging and disabilities, sensory, physical and cognitive disabilities, behavioral interventions targeted to specific populations, and the philosophy and principles of independent living; and</p> <p>(9) The prevention of abuse, neglect and exploitation of a person with a disability, including, without limitation, identifying and reporting the full range of serious occurrences, and reporting of suspected cases of abuse, neglect or exploitation in the manner prescribed in NRS 200.5093, 200.50935 and 632.472;</p>				
I 0591	<p>(c) Receives not less than 8 hours of training during each year of employment thereafter concerning such topics as determined by the client.</p>				

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I 0592	<p>4. The client shall submit to the intermediary service organization documentation which includes, without limitation:</p> <ul style="list-style-type: none"> (a) The content of the training provided to the personal assistant pursuant to this section; (b) The date on which the training was completed; (c) The number of hours of training provided to the personal assistant; and (d) A certificate indicating successful completion of the training. 				
I 0600	<p>NAC 449.3952 Additional training to be provided by intermediary service organization. (NRS 449.4308, 449.4327) An intermediary service organization shall make available to a personal assistant employed by the intermediary service organization all training required pursuant to NAC 449.39519 and, at the request of a client, such additional training for a personal assistant as necessary to support the plan of care for the person with a disability, including, without limitation:</p> <ul style="list-style-type: none"> 1. General training for the personal assistant; 2. Protocols for a personal assistant, including, without limitation, the rights and responsibilities of a client and of a personal assistant; 3. The manner in which to groom and dress the person with a disability; 4. Procedures for bathing and maintaining proper hygiene for a person with a disability, including, without limitation, bed-bath and tub-bath techniques; 5. Caring for the bowel, bladder and skin of a person with a disability, including, without limitation, information concerning caring for a catheter, the identification and control of infection, common bowel problems, the early recognition of skin problems, the prevention of pressure sores and the routine inspection of skin; 6. Assistive technology, including, without limitation, examples of assistive technology, how assistive technology can be used by the personal assistant and resources from which assistive technology may be obtained; 7. Nutrition and food preparation, including, without limitation, information about preparing balanced meals, addressing special dietary needs or restrictions, guidelines for hydration and the proper handling and storage of food; and 8. The manner in which to maintain health records, including, without limitation, illustrations of how information should be conveyed in a written or dictated form to assure confidentiality and a means to ensure that the person with a disability receives services as outlined in the plan of care. 				

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I 0610	<p>NAC 449.39521 Visits and telephone interviews with clients. (NRS 449.4308, 449.4327)</p> <p>1. Except as otherwise provided in subsection 3, an intermediary service organization shall, not less than once every 6 months, conduct a visit of the residence of the person with a disability or perform a telephone interview with the client to monitor the quality of care received by the person with a disability.</p>				
I 0611	<p>2. The intermediary service organization shall document each visit or telephone interview conducted pursuant to subsection 1. Such documentation must include, without limitation:</p> <ul style="list-style-type: none"> (a) The date of the visit or telephone interview; (b) Whether the plan of care is meeting the needs of the person with a disability; (c) Whether the personal assistant has received sufficient training to provide the services for the person with a disability; and (d) Whether there have been changes in the health status of the person with a disability. 				
I 0615	<p>3. A client may decline to receive a visit or a telephone interview pursuant to subsection 1 by providing to the intermediary service organization a written waiver declining the visit or telephone interview. An intermediary service organization shall retain a copy of a written waiver in the record of the client.</p>				
I 0621	<p>NAC 449.39522 Written statement of services provided to clients. (NRS 449.4308, 449.4327)</p> <p>1. An intermediary service organization shall provide to each client for his or her signature a written statement which contains a description of the services provided by the intermediary service organization. The statement must include, without limitation:</p> <ul style="list-style-type: none"> (a) An easily understandable statement that it is not within the scope of services provided by the intermediary service organization to manage the medical and health conditions of a person with a disability; (b) The qualifications and required training for personal assistants; 				

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I 0622	<p>(c) The amount that will be charged for the services provided by the intermediary service organization;</p> <p>(d) A description of billing methods, acceptable payment methods and due dates for payments, and the policy for notifying the client of any increase in the amount that will be charged for the services provided by the intermediary service organization;</p>				
I 0623	<p>(e) Criteria, circumstances or conditions which may result in the termination of services by the intermediary service organization, the procedures for notifying the client of such termination and the procedures for appealing such termination;</p> <p>(f) The manner in which the intermediary service organization may be contacted during all hours when services are being provided to a person with a disability; and</p> <p>(g) Information about the rights of a client of the intermediary service organization and the procedures for filing a grievance.</p>				
I 0624	<p>2. A copy of the signed statement must be maintained by the intermediary service organization in the records of the client maintained by the intermediary service organization.</p>				
I 0625	<p>NAC 449.39523 Discussion of services provided to clients. (NRS 449.4308, 449.4327)</p> <p>1. An intermediary service organization shall discuss with each potential client before providing services:</p> <p>(a) The planned training to be provided by the intermediary service organization to the personal assistant;</p> <p>(b) The responsibilities of the intermediary service organization; and</p> <p>(c) A contingency plan in the event that a personal assistant fails to report for a scheduled visit with the person with a disability.</p>				
I 0630	<p>2. The information discussed pursuant to subsection 1 and the result of that discussion must be documented and maintained in the records of the client maintained by the intermediary service organization.</p>				

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I 0635	<p>NAC 449.39524 Rights of person with a disability receiving services. (NRS 449.4308, 449.4327)</p> <p>1. An intermediary service organization shall ensure that a person with a disability who receives services from the intermediary service organization or, as applicable, other responsible person acting on his or her behalf:</p> <ul style="list-style-type: none"> (a) Has the right to select the personal assistant of his or her choice; (b) Has the right to choose community-based care or institutional care; (c) Receives services from the intermediary service organization without regard to race, color, creed, national origin, sex or disability; (d) Is treated with respect, receives recognition of his or her individuality and is free from physical, verbal or psychological abuse; (e) Is allowed to make informed decisions regarding the care of the person with a disability and to participate in the development of a plan of care; 				
I 0640	<ul style="list-style-type: none"> (f) Receives a description of advance directives, as defined in NRS 449.905, and information on how to obtain an advance directive; 				
I 0641	<ul style="list-style-type: none"> (g) Has the right to appeal any termination, reduction or suspension of services by the intermediary service organization and to receive a written explanation of decisions of the intermediary service organization relating to the provision of services; (h) Receives confidential treatment of personal, medical and financial information; (i) Has access to any records maintained by the intermediary service organization relating to the care of the person with a disability; (j) Is informed of the primary contact person for the intermediary service organization, the person with whom a grievance may be filed with the intermediary service organization; and (k) Receives timely responses to a concern expressed to the intermediary service organization regarding the provision of services by the intermediary service organization. 				
I 0650	<p>2. Each person with a disability who receives services from the intermediary service organization or, as applicable, other responsible person acting on his or her behalf must be provided with a written list of the rights set forth in subsection 1.</p>				